HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.18462 of 2002

8.8.2007

Between

Soma Naveen Reddy ..Petitioner

AND

The Government of Andhra Pradesh represented by its Additional Secretary, Home Department ..Respondent

:: JUDGMENT ::

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P. No.18462 of 2002

Heard Sri B.Srinivasa Rao, learned counsel for the writ petitioner and the learned Government Pleader for Home.

The writ petitioner has filed an application on 10.2.2002 seeking licence to acquire a firearm. The application has been considered by the State Government and through the impugned memo dated 19.8.2002, the request of the petitioner has been rejected. It will be profitable to quote completely the order passed by the State Government in this regard.

> "Sri S.Naveen Reddy is informed that the request for issue of Arms licence has been examined in consultation with Dy. Commissioner of Police, West Zone, Hyderabad and the same rejected."

A mere look at it would disclose that no reasons have been assigned by the State Government as to why the request of the petitioner for licence has been rejected. It is a well-settled principle of law that any order indicating a decision taken by the agency entrusted with the right to determine the application, like the present one preferred by the writ petitioner, in exercise of the statutory power, has got to be informed of the reasons. It is well recognized that a reasoned order would be indicative of the application of mind to the relevant factors by the decision

maker. The reasons will also prevent miscarriage of justice and also prevent consideration of irrelevant or extraneous material. For the sheer failure to assign any reasons, the impugned order deserves to be set aside and it is accordingly set aside.

I direct consideration afresh of the application of the writ petitioner on merits. Orders considered appropriate be passed within a period of two months from the date of receipt of a copy of this order.

With this, the writ petition stands disposed of. No costs.

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NOOTY RAMAMOHANA RAO.J.

8.8.2007
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